

discussed the matter with Mr. Ickes.” Additionally, if Babbitt intended to address only the question of whether he spoke with Ickes, it made little sense for the paragraph at issue to begin, as it does, with three sentences about Paul Eckstein. These three sentences about Eckstein would be virtually superfluous if one were to accept Babbitt’s account. The full paragraph reads:

I met with Mr. Paul Eckstein, an attorney for the three tribes applying for the trust land acquisition, shortly before a decision was made on the application. Following this meeting, I instructed my staff to give Mr. Eckstein the opportunity to discuss the matter with John Duffy. *I must regretfully dispute Mr. Eckstein’s assertion that I told him that Mr. Ickes instructed me to issue a decision in this matter without delay.* I never discussed the matter with Mr. Ickes; he never gave me any instructions as to what this Department’s decision should be, nor when it should be made.⁸³⁹

Critically, in providing his refutation of Eckstein’s “assertion” after his introduction of the Eckstein meeting, Babbitt gives no indication whatsoever that he is selectively disputing or agreeing with any particular phrasing employed by Eckstein himself, or any particular aspect of Eckstein’s version.⁸⁴⁰ In fact, the word “instructed” is Babbitt’s, not Eckstein’s.⁸⁴¹

⁸³⁹(Emphasis added).

⁸⁴⁰Of course, Babbitt could simply have stated to McCain what Babbitt now claims to be the truth: that Eckstein was correct, Babbitt did invoke Ickes’s name and said that Ickes wanted the decision to go out promptly, but that this was a ruse to end the discussion with Eckstein, and that Babbitt never spoke with Ickes about the Hudson application. This option had the unappealing dimension of acknowledging a fact that would have invited further inquiry; thus, a seeming denial may have appeared at the time to be the most certain way of curtailing the matter. In other words, having told a “white lie” to get Eckstein out of his office, Babbitt may have decided to be oblique and even indignant in his response to Sen. McCain to thwart further inquiry into the Hudson matter.

⁸⁴¹The fact that “instructed” is Babbitt’s word and not Eckstein’s makes it all the more odd that Babbitt disputed the word “instructed” in his Senate testimony:

Senator Collins: What part isn’t true? The ‘without delay’ part?

(continued...)